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for the Substantively Consolidated SIPA  
Liquidation of Bernard L. Madoff Investment  
Securities LLC and the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation  
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

STEFANELLI INVESTORS GROUP, ANTHONY  
E. STEFANELLI, JR., as general partner of  
Stefanelli Investors Group and individually,  
MINOR 1, MINOR 2, MINOR 3, MARY ANN  
STEFANELLI, as general partner of Stefanelli  
Investors Group and individually, JOAN L. APISA,

Adv. Pro. No. 10-05255 (SMB)

DANIELLE L. D'ESPOSITO, MARK STEFANELLI, as general partner of Stefanelli Investors Group and individually, MINOR 4, as general partner of Stefanelli Investors Group and individually, MINOR 5, as general partner of Stefanelli Investors Group and individually, BARBARA ANN STEFANELLI, as general partner of Stefanelli Investors Group and individually, LISA M. STEFANELLI, as general partner of Stefanelli Investors Group and individually, PATRICIA MORETTA, as general partner of Stefanelli Investors Group and individually, MINOR 6, as general partner of Stefanelli Investors Group and individually, MINOR 7, as general partner of Stefanelli Investors Group and individually, ANTON LEROY, as general partner of Stefanelli Investors Group and individually and ANTHONY E. STEFANELLI, as general partner of Stefanelli Investors Group and individually,

Defendants.

### **NOTICE OF MEDIATOR SELECTION**

On November 10, 2010, this Court entered the Order (1) Establishing Litigation Case Management Procedures for Avoidance Actions and (2) Amending the February 16, 2010 Protective Order (the “Order”)<sup>1</sup> [Adv. Pro. No. 08-01789 (SMB), Dkt. No. 3141]. Pursuant to the Notice of Applicability filed by Plaintiff Irving H. Picard (the “Trustee”), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* (“SIPA”), and the substantively consolidated estate of Bernard L. Madoff individually (“Madoff”), in this Adversary Proceeding on December 9, 2010 [Dkt. No. 2], the Order and the avoidance procedures contained therein (the “Avoidance Procedures”) are applicable to the instant matter.

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<sup>1</sup> All terms not defined herein shall be given the meaning ascribed to them in the Order.

Pursuant to the Avoidance Procedures, on June 10, 2014 the Trustee filed with this Court the Notice of Mediation Referral [Dkt. No. 71], wherein the Trustee and Defendants Stefanelli Investors Group, Anthony E. Stefanelli, Jr., as general partner of Stefanelli Investors Group and individually, Minor 1, Minor 2, Minor 3, Mary Ann Stefanelli, as general partner of Stefanelli Investors Group and individually, Mark Stefanelli, as general partner of Stefanelli Investors Group and individually, Minor 4, as general partner of Stefanelli Investors Group and individually, Minor 5, as general partner of Stefanelli Investors Group and individually, Barbara Ann Stefanelli, as general partner of Stefanelli Investors Group and individually, Lisa M. Stefanelli, as general partner of Stefanelli Investors Group and individually, Patricia Moretta, as general partner of Stefanelli Investors Group and individually, Minor 6, as general partner of Stefanelli Investors Group and individually, Minor 7, as general partner of Stefanelli Investors Group and individually, Anton Leroy, as general partner of Stefanelli Investors Group and individually, and Anthony E. Stefanelli, as general partner of Stefanelli Investors Group and individually (the “Parties”) jointly agreed to enter mediation prior to or upon completion of discovery without further court order.

Through this Notice of Mediator Selection, and pursuant to the Avoidance Procedures and the Mediation Order, made applicable to the Parties upon the filing of the Notice of Mediation Referral, the Parties hereby mutually select from the Mediation Register Ted A. Berkowitz, from the law firm of Farrell Fritz, P.C., to act as Mediator in this matter. The Parties further agree to contact Mr. Berkowitz as soon as practicable after this Notice of Mediator Selection is filed with the Court.

The Parties further agree that no person shall act as Mediator if that person, or that person's law firm, currently represents a party with respect to the BLMIS proceeding, unless the Parties provide prior written consent that the person may act as Mediator.

Pursuant to the Avoidance Procedures, the Parties agree that this mediation will conclude within 120 days from the date that this Notice of Mediator Selection is filed, unless that deadline is extended by mutual consent of the Parties and the Mediator.

Dated: New York, New York

June 11, 2014

Of Counsel:

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